

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANTS: TRIBELSKY, Zamir et al. EXAMINER: Not yet assigned

SERIAL NO. /
PATENT NO.: 10/566,983 GROUP ART UNIT: Not yet assigned

FILED / ISSUED: August 4, 2004 ATTORNEY DOCKET No.: P-7784-US

FOR: METHOD FOR ENERGY COUPLING ESPECIALLY USEFUL FOR DISINFECTING,
AND VARIOUS SYSTEMS USING IT

Mail Stop Petition

Commissioner for Patents
P. O. Box 1450
Alexandria, VA 22313-1450

PETITION UNDER 37 C.F.R. §1.47

Sir:

Applicants hereby petition to proceed with prosecution of the above-mentioned application without signature of the inventor Zamir Tribelsky. As set forth in the statement of Amir Cohen, despite repeated attempts to contact the non-signing inventor and persuade him to sign the declaration, applicants were unable to secure his signature and recently were even unable to locate him.

Submitted with this petition in support thereof, are the following:

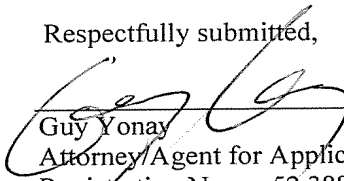
- ☒ Statement of Amir Cohen in Support of the Petition under 37 C.F.R. 1.47 reciting the relevant facts; and
- ☒ A Fee under 37 C.F.R. §1.17(g).

The last known address of the non-signing inventor, Zamir Tribelsky, is: 64 HaDror Street, Mevaseret - Tzion, Israel 90805.

No fees additional to the fee under 37 C.F.R. §1.47 are believed to be due, however, if any such additional fees are due, the undersigned hereby authorizes the United States Patent and Trademark Office to charge the fees to Deposit Account No. 50-3355.

Should there arise any question or comments as to the form, content or entry of this Petition, the undersigned is available to be contacted at the telephone number below.

Respectfully submitted,


Guy Yonay
Attorney/Agent for Applicants
Registration No. 52,388

Dated: November 19, 2007
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STATEMENT OF AMIR COHEN IN SUPPORT OF PETITION UNDER 37 C.F.R. §1.47

I, the undersigned, Amir Cohen, submit this declaration in support of a petition under 37 C.F.R. §1.47. The below is true and accurate to the best of my knowledge:

1. I am the Chief Financial Officer of Atlantium Technologies Ltd., which acquired the Intellectual Property of Atlantium Lasers Ltd. as of December 31, 2005.
2. The application is a National phase application of PCT International application No. PCT/IL2004/000718, International filing date, August 4, 2004. The International application was filed by Atlantium Lasers Ltd. with Mr. Zamir Tribelsky as the first named inventor.
3. The application entered the National phase on February 2, 2006 with the United States Patent and Trademark Office (the "USPTO"). An unexecuted declaration was filed upon filing the application.
4. In or about mid-September 2006, I contacted Mr. Tribelski by telephone in order to coordinate the delivery of documents to sign in relation to this application and other applications including the declaration of the subject application to him. After several telephone calls, Mr. Tribelski told me to deliver the documents to his secretary. Accordingly, I have arranged the delivery of the documents to her.
5. In or about early October 2006, Mr. Tribelski requested that the documents including the declaration be forwarded to his Attorney, Adv. Shlomi Sabag.
6. On October 18, 2006, I sent a letter to Adv. Shlomi Sabag (attached hereto as Exhibit A) attaching the relevant documents and requesting to return the signed documents back to me.
7. On November 1, 2006, I sent another letter to Adv. Shlomi Sabag (attached hereto as Exhibit B) attaching the relevant documents and specifically including therewith the patent applications as filed, including the subject application.
8. I received a letter dated December 3, 2006 from Adv. Shlomi Sabag (attached hereto as Exhibit C) confirming receipt of the documents, informing me that the documents are being examined with respect to our request to sign the documents.

9. In a telephone conversation held between Adv. Shlomi Sabag and myself in early December 2006, Adv. Shlomi Sabag informed me that Mr. Tribelski might consider signing the documents if he were to receive payment.
10. I have instructed our corporate attorney of Herzog, Fox & Neeman to approach Adv. Shlomi Sabag in this matter.
11. On December 10, 2006 Adv. Avi Raz sent a letter to Adv. Shlomi Sabag (attached hereto as Exhibit D1; an English translation of the letter is attached hereto as Exhibit D2) via facsimile and registered mail including copies of a Separation Agreement dated June 12, 2006 (attached hereto as Exhibit E) and a Non Compete Agreement dated June 12, 2006 (attached hereto as Exhibit F). In the letter, the legal obligations of Mr. Tribelski to sign the documents were stated.
12. On July 19, 2007, the USPTO mailed a Notice of Missing Parts, requiring applicants to file a signed declaration of the inventors.
13. On September 2, 2007, I sent via registered mail a package containing a copy of the above-identified application, including a preliminary amendment and a declaration and power of attorney to Zamir Tribelsky's last known address at - 64 Ha-Dror Street, Mevaseret Zion 90805, Israel.
14. On October 14, 2007, the package was returned to our office unclaimed. (attached hereto as Exhibit G is a printout from the Israel Post online tracking of the package)
15. On October 14, 2007, we sent the documents again, via the Israel Post Messenger Service.
16. The messenger made an attempt to deliver the package on October 14, 17 and 28, 2007, but to no avail. (attached hereto as Exhibit H is a printout from the Israel Post online tracking of the delivery)
17. The messenger was asked to describe Mr. Tribelsky's residence and said that the house seems abandoned and had a "for sale" sign posted on it.
18. Despite our considerable efforts to contact Mr. Tribelsky, he could not be reached, and his signature could not be obtained.

I declare that the above is true and accurate to the best of my knowledge


Amir Cohen

Date 19/11/07